

Town Board Minutes

Meeting No. 24

Special Meeting

September 5, 2000

Town Board Minutes

September 5, 2000

Meeting No. 24

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 5th day of September 2000, at 6:30 PM and there were

PRESENT: ROBERT GIZA, SUPERVISOR
MARK MONTOUR, COUNCIL MEMBER
GEORGETTE PELLETTERIE, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN
MELVIN SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: FRANK DE CARLO, PLANNING BOARD MEMBER
DAVID MARRANO, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of one (1) action.

IN THE MATTER OF THE SEQR REVIEW OF THE

FERRY REZONE MATTER

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Ferry rezone matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER GOBER
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER PELLETTERIE, TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

NOTICE OF DETERMINATION

NEGATIVE DECLARATION

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 15.91 acres.

The location of the premises being reviewed is 5733/5755 Broadway.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site based on the following:

Construction that will continue for more than one year or involve more than one phase.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will have a small to moderate impact on a water body designated as protected based on the following:

Potential storm water runoff to a protected stream.
4. The proposed action will not affect any non-protected existing or new body of water.
5. The proposed action will have a small to moderate impact on surface or ground water quality or quantity.
 - a) It is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required.
 - b) Further noted small to moderate impacts are:
 - 1) Proposed action will require a discharge permit.
 - 2) Proposed action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.
6. The proposed action will not alter drainage flow patterns or surface water runoff.
7. The proposed action will not affect air quality.
8. The proposed action may have a small to moderate impact on threatened or endangered species based on the following:

The application of pesticides or herbicides more than twice a year.
9. The proposed action will not substantially affect non-threatened or non-endangered species.
10. The proposed action will not affect agricultural land resources.

11. The proposed action will have a small to moderate impact on aesthetic resources based on the following:

The proposed land use, visible to users of the aesthetic resources, will have a reduced enjoyment of the aesthetic qualities of that resource.

12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will have a small to moderate impact on existing transportation systems based on the following:
The alteration of present patterns of movement of people and/or goods.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
17. The proposed action will not affect public health and safety.
18. The proposed action will have a small to moderate affect on the character of the existing community based on the following:
a) A small to moderate change in the density of land use.
b) A small to moderate increase in demand for community services.
19. There is likely to be public controversy related to potential adverse environmental impacts.

s/s _____

SEAL

Robert H. Giza, Supervisor
Town of Lancaster

September 5, 2000

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	WAS ABSENT
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

September 5, 2000

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 7:04 P.M.


Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No. 25

Regular Meeting

September 5, 2000

Town Board Minutes

September 5, 2000

Meeting No. 25

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 5th day of September, 2000 at 8:00 P.M. and there were

PRESENT: MARK MONTOUR, COUNCIL MEMBER
GEORGETTE PELLETTERIE, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
RICHARD ZARBO, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
CHRISTINE FUSCO, ASSESSOR
RICHARD REESE JR., HIGHWAY SUPERINTENDENT

PERSONS ADDRESSING TOWN BOARD:

Salvatore, Lou, 15 Parkdale Drive, spoke to the Town Board on the following matter:

- Questions re: the petition filed in opposition to the Ferry Builders rezone.

Korcz, Richard, 4964 William Street, spoke to the Town Board on the following matter:

- Questions re: the proposed development at the northeast corner of William Street and Aurora Street.

Mahon, Edward, 30 Lombardy Street, spoke to the Town Board on the following matter:

- Suggested that the Town Board start the meetings on time.

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matter:

- Comments re: the duties of Village of Lancaster Code Enforcement being absorbed by the Town Building Inspector's Office.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matter:

- Questions re: the number of bleachers that the Town of Lancaster loaned to the Lancaster Schools.

Wander, Art, 9 Broadmoor Court, spoke to the Town Board on the following matter:

- Questions re: the petition filed in opposition to the rezone matter in the vicinity of Walden Trace Subdivision.

Giallanza, Michael, 5653 Broadway, spoke to the Town Board on the following matter:

- Comments re: the resolution on the building moratorium.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon the rezone petition of Windsor Ridge Partners for a rezone from an AR-Agricultural Residential District to an R-2-Residential District 2 and an AR-Agricultural Residential District to MFR-3-Multi-Family District 3 for premises situate at 00 & 206 Hall Road.

The affidavits of publication of this Public Hearing are on file and a copy of the Public Notice has been posted.

PROPOSERS

Bill Tuyn, Representative of Developer
Elliot Lasky, Partner of Windsor Ridge
Joseph McIvor

ADDRESS

60 Earhart Drive, Amherst
91 Eastwood Pkwy, Lancaster

OPPOSERS

Audrey Murdock, Elma Town Supervisor
Jeff Jahn
Marla De Pan Brown, attorney
Representing residents of Hall Road opposed to project
Ron Olejniczak,
Mary Rafalski
Pete Spada
Don Symer
Roy Schneggenburger
Mark Kubicki
Dennis Powers, Elma Councilman
John Grzybowski
Ron Reggie
Bob Mantelli
Sal Valvo
Mike Bajak
Scott Craig
Bill Cirocco, Elma Councilman
Joseph Oddo
Antoinette Chapman
Lynn Kasprzak
Mike Romano
Joe Kolis
Jim Kostek
David Breckenridge
Donna Reid, Elma Councilman
Rene Stiglmeier
Lou Salvatore

ADDRESS

1910 Bowen Road, Elma
1710 Hall Road, Elma
4455 Transit Road
335 Hall Road, Elma
210 Hall Road, Lancaster
11 Windcroft Lane, Lancaster
610 Columbia Avenue, Lancaster
87 Stony Road, Lancaster
5747 Broadway, Lancaster
140 Valley View Drive, Elma
2040 Hall Road, Elma
83 Brunck Road, Lancaster
21 Chestnut Corner, Lancaster
1910 Bowen Road, Elma
19 Windsor Ridge, Lancaster
23 Sussex Lane, Lancaster
1171 Bowen Road, Elma
1 Windcroft Drive, Lancaster
36 Chestnut Corner, Lancaster
3484 Bowen Road, Lancaster
15 Windcroft Lane, Lancaster
12 Windcroft Lane, Lancaster
57 Brunck Road, Lancaster
226 Hall Road, Lancaster
20 Nanette Drive, Elma
21 Sussex Drive, Lancaster
15 Parkdale Drive, Lancaster

COMMENTS & QUESTIONS

Joseph Juszczak
David Frasier
Art Wander

ADDRESS

600 Pleasant View Drive, Lancaster
146 Siebert Road, Lancaster
9 Broadmoor Court, Lancaster

ON MOTION BY COUNCIL MEMBER STEMPIAK, AND SECONDED BY
COUNCIL MEMBER PELLETIERE AND CARRIED, by unanimous voice vote, the Public
Hearing was closed at 11:20 P.M.

The Supervisor informed those present that the Town Board would reserve decision
on this matter.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the minutes from the Joint Meeting of the Town Board and the Planning Board held on August 21, 2000 and the Regular Meeting of the Town Board held on August 21, 2000 be and are hereby approved.

BE IT FURTHER

RESOLVED, that the minutes from the Joint Meeting of the Town Board and the Planning Board held on August 28, 2000 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETIERE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 5, 2000

File: RMIN (P3)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUT, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, the Supervisor has received approval of PO-17 from Erie County Personnel to create the position of Program Leader (Youth), Part Time in the Youth Bureau of the Town of Lancaster, and

WHEREAS, the Lancaster Central School District has requested the Town of Lancaster Youth Bureau to furnish a Program Leader (Youth), Part Time under a contract with the Town, for its Youth-at-Risk and Community Partnership Grant Program, and

WHEREAS, the School District will provide 100% of the cost of direct salary to the Town for providing this service to the District, and

WHEREAS, the Executive Director of the Lancaster Youth Bureau, by letter dated August 16, 2000, has recommended the appointment of Sherri Bottlinger, 26 Church Street, Lancaster, New York, to the position of Program Leader (Youth) Part Time in the Youth Bureau at an hourly rate of \$12.50, with no health benefits, insurance, sick days, vacation or other benefits, effective September 6, 2000.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Supervisor of the Town of Lancaster is hereby authorized to enter into an Agreement with the Lancaster Central School District for the purpose of the Town of Lancaster Youth Bureau providing a Program Leader, Part Time for the Lancaster Central School District's Youth-at-Risk and Community Partnership Grant Program for the period September 6, 2000 to June 29, 2001, with the School District paying 100% of the cost of direct salary to the Town, to wit: approximately \$7,000.00 for direct salary to be paid in installments of \$2,775.00 on or about October 1, 2000, and \$2,113.00 on or about January 1, 2001, and \$2,112.00 on or about April 1, 2001.

2. That the Town Board of the Town of Lancaster hereby appoints **Sherri Bottlinger**, 26 Church Street, Lancaster, New York, to the permanent position of Program Leader (Youth) Part Time (Provisional), at an hourly rate of \$12.50 with future increases at the recommendation of the Executive Director of the Youth Bureau and subject to availability of funds from the Lancaster Central School District, based upon a Contract Agreement with the said School District as herein stated.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUT	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 5, 2000

R/pers/Rstate.Yth (P11)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER PELLETTERIE, TO WIT:

WHEREAS, Joseph Todaro, the owner of real property situate at 22 Hillside Parkway, in the Town of Lancaster, New York, has submitted an application for a Special Use Permit for a Home Occupation (vehicle wholesales) in accordance with provisions of Chapter 50-Zoning of the Code of the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupations" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a Home Occupation (vehicle wholesales) on premises locally known as 22 Hillside Parkway, Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 18th day of September, 2000 at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 5, 2000

File: rsuph.900

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER
SPECIAL USE PERMIT - TODARO**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 17 (F), "Home Occupations" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of September, 2000, the Town Board will hold a Public Hearing on the 18th day of September, 2000, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Joseph Todaro for a Special Use Permit, for a Home Occupation (vehicle wholesales) on premises locally known as 22 Hillside Parkway, in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

September 5, 2000

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Town of Lancaster experienced a fire loss catastrophe at a town owned building at 40 Clark Street, which houses the Lancaster Historical Society, and

WHEREAS, negotiations were conducted with Golf Insurance Group, the Town's insurance carrier for recovery of the loss due to fire, and

WHEREAS, National Fire Adjustment Company, Inc., acted as the agent for the Town in the settlement negotiation, and

WHEREAS, Terrence McCracken, General Crew Chief of the Town's Department of Parks, Senior Facilities, and Buildings and Grounds has now advised that a settlement has been reached with the insurance carrier which will cover the repair costs to the building, said settlement being in the sum of \$53,005.21, and a second payment to be made to National Fire Adjustment Company, Inc., in the sum of \$2,400.82 by the Golf Insurance Group;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the town of Lancaster hereby approves the settlement of this fire claim on the beforementioned building and authorizes the Supervisor to execute the required sworn Proof of Loss and the statement as to the cost of the repairs as well as the direction to pay National Fire Adjustment Company, Inc.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 5, 2000

File: rmusfire.900

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York
and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of
local laws, and

WHEREAS, a proposed Local Law of the Year 2000, entitled "**Residential Subdivision Development**" and designated as Chapter 34 of the Code of the Town
of Lancaster, was introduced to the Town Board of the Town of Lancaster by Council Member
Stempniak on the 7th day of August, 2000, and

WHEREAS, a Public Hearing was duly called and held pursuant to law,
on August 21, 2000;

NOW, THEREFORE, BE IT

ENACTED by the Town Board of the Town of Lancaster, Local Law
No. 1 of the year 2000 entitled "**Residential Subdivision Development**", and designated as
Chapter 34, of the Code of the Town of Lancaster, County of Erie and State of New York,
which reads as follows:

CHAPTER 34

RESIDENTIAL SUBDIVISION DEVELOPMENT

LOCAL LAW NO. 1

**Of the Year
2000**

A LOCAL LAW TO AMEND THE CODE OF THE TOWN OF LANCASTER, BY DELETING AND REPEALING, IN ITS ENTIRETY, CHAPTER 34, OF THE CODE OF THE TOWN OF LANCASTER, ENTITLED "RESIDENTIAL REAL ESTATE DEVELOPMENT ", AND REPLACING IT WITH A LOCAL LAW OF 2000 ENTITLED, "RESIDENTIAL SUBDIVISION DEVELOPMENT" AND DESIGNATED AS CHAPTER 34, OF THE CODE OF THE TOWN OF LANCASTER.

BE IT ENACTED, by the Town Board of the Town of Lancaster, as follows:

Section 1.

The Code of the Town of Lancaster is hereby amended by deleting and repealing Chapter 34, of the Code, entitled "Residential Real Estate Development".

Section 2.

The Code of the Town of Lancaster is hereby amended by adding thereto Local Law No. 1 of the Year 2000, to replace "Chapter 34" as hereinabove repealed, which shall be entitled: "Residential Subdivision Development", and shall read as follows:

RESIDENTIAL SUBDIVISION DEVELOPMENT

Chapter 34

- §34-1. Title.**
- §34.2. Purpose.**
- §34.3. Jurisdiction.**
- §34.4 Definitions.**
- §34.5. Temporary limitations.**
- §34-6. Severability.**
- §34-7. Supersession of statutory provisions.**
- §34-8. When effective.**

§34-1. Title.

This chapter shall hereinafter be known and cited as the "Residential Subdivision Development" of the Town of Lancaster and further designated as Chapter 34 of the Code of the Town of the Town of Lancaster.

§34-2. Purpose.

- A. It is the purpose of this chapter to temporarily limit new residential subdivision growth in the entire town, in order to address the potential demands occasioned by residential developments which may cause significant stress on (1) the infrastructure, including road systems and the available water pressure, (2) public school system, and (3) town services. Such a moratorium will provide a reasonable time for the Town's Comprehensive Master Plan Committee to complete its current analysis of the town's present and future growth management plan; to present its findings; to allow public comment thereon; and to allow the Town Board to enact appropriate laws relating thereto and to make proposed revisions to the town zoning laws, if necessary.
- B. Further, it is the purpose of this chapter to fulfill the town's constitutional, statutory and legal obligations to protect and preserve the public health, welfare and safety of the residents of the Town of Lancaster and to protect the value, use and enjoyment of property within the town.

§34-3. Jurisdiction.

This chapter shall apply to the entire Town of Lancaster, excluding the Villages of Lancaster and Depew.

§34-4. Definitions.

For purposes of this chapter, the terms used herein shall be defined as follows:

APPLICATION - Any request for official action by the Town Board, Planning Board, SEQR Municipal Review Committee (MRC), and/or department of the town, which request would, in any way, commence the process whereby land may be developed.

RESIDENTIAL SUBDIVISION DEVELOPMENT:

- A. Any subdivision of five (5) or more lots, for purposes of constructing one or two family residences, or any size subdivision requiring any new street or extension of municipal facilities; or
- B. Any townhouse, condominium project or apartment complex involving five (5) or more dwelling units.

§34-5. Temporary limitation.

- A. For a period commencing on the effective date of this chapter and terminating six (6) months from the effective date, no application for residential subdivision development may be filed, accepted and/or approved except as provided in Subsection B.
- B. This Chapter shall not apply to (1) any residential subdivision of land that involves five (5) lots or less; (2) any residential subdivision of any size for which an application has heretofore been filed with the Town Clerk as of the effective date of this Local Law; and (3) any residential complex designed to house senior citizens whether as an assisted living center or otherwise.

§34-6. Severability.

If any section, sentence, clause or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.

§34-7. Supersedure of statutory provisions.

This chapter is intended to supersede §274-a, Subdivision 7, of the Town Law (L. 1992, c.694, §1, effective July 1, 1993), relating to the time within which an application for site plan approval must be decided. This chapter is also intended to supersede §276, Subdivisions 5 (f) and 6 (f), of the Town Law (L.1992 c.727, §1, effective July 1, 1993), relating to default approval of preliminary plat and final plats.

§34-8. When effective.

This chapter shall become effective upon adoption and upon filing with the Secretary of State.

and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster shall:

1. Immediately post a copy of Local Law No. 1 of the Year 2000 on the Town Bulletin Board;
2. Within ten (10) days, publish a certified copy of the Local Law abstract thereof describing the same in general terms in the Lancaster Bee, declared the official newspaper for this publication;
3. Maintain a file in the Town Clerk's Office on Local Law No. 1 of the Year 2000, with all proofs of publication and posting required for adoption; and
4. File certified copies of Local Law No. 1 of the Year 2000 within ten (10) days of adoption with:
 - a) Town Clerk's office
 - b) One (1) copy with the office of the Secretary of State.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 5, 2000

File: rlocwa.900

**LEGAL NOTICE
NOTICE OF ADOPTION
TOWN OF LANCASTER**

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County New York, on September 5, 2000, Local Law No. 1 of the Year 2000, entitled "Residential Subdivision Development", and further designated as Chapter 34, of the Code of the Town of Lancaster, briefly described as follows:

"A Local Law repealing Local Law No. 2 of the Year 1994, entitled Real Estate Development", designated as Chapter 34 of the Code of the Town of Lancaster, and enacting in place thereof a new Local Law of the Year 2000, entitled "Residential Real Estate Development" and designated as Chapter 34 of the Code of the Town of Lancaster.

This Local Law provides a temporary moratorium on residential real estate development in the entire Town of Lancaster."

September 5, 2000

**STATE OF NEW YORK :
COUNTY OF ERIE : ss:
TOWN OF LANCASTER :**

THIS IS TO CERTIFY, that **I, JOHANNA M. COLEMAN**, Town Clerk of the Town of Lancaster in said County of Erie, have compared the foregoing copy of a Legal Notice of Adoption of Local Law No. 1 of the Year 2000, with the original thereof filed in my office at Lancaster, New York, on the 5th day of September, 2000 and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 5th day of September, 2000.

Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER PELLETTERIE, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, the Lancaster Central School District has requested the use of
town-owned bleacher seats for school athletic functions on a temporary basis, and

WHEREAS, the Town desires to assist the School District by providing
bleacher seats on a temporary basis to the District to be used at Lancaster High School for the
2000-2001 school year, and

WHEREAS, the Town Attorney has prepared an Intermunicipal Agreement
between the Town and School District for this purpose;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
authorizes the Supervisor to execute the beforementioned Intermunicipal Agreement on behalf
of the Town of Lancaster, a copy of which Agreement is on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 5, 2000

File: rschagr.900

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER PELLETTERIE, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

*Amended
9/18/2000
LMP*

WHEREAS, it is in the public interest to amend Chapter 50-Zoning of the Code of the Town of Lancaster, by amending §50-10 (C) (2) (a) and (b) and §50-11 (C) (2) of Article IV, of Chapter 50-Zoning of the Code of the Town of Lancaster, County of Erie, State of New York, which shall read as follows:

**CHAPTER 50-ZONING
ARTICLE IV
RESIDENTIAL DISTRICTS**

.....
§50-10. Residential District One (R-1).

.....
C. Design regulations for principal structures and uses:

- (1) Minimum lot area per dwelling (a) and (b) shall be amended to read as follows:**

“(a) Public sewered: twelve thousand five hundred (12,500) square feet;

(b) Public sewered corner lot: thirteen thousand seven hundred seventy-five (13,775) square feet.”

- (2) Minimum width of lot abutting a dedicated street (a) and (b) shall be amended to read as follows:**

“(a) Public sewered: One hundred (100) feet.

(b) Public sewered corner lot: One hundred (100) feet”

§50-11. Residential District Two (R-2).

.....
C. Design regulations for principal structures and uses.

- (1) Minimum lot area (a) and (b) shall be amended to read as follows:**

(a) Public sewered: ten thousand (10,000) square feet;

(b) Corner lot (public sewered) eleven thousand two hundred fifty (11,250) square feet.

(2) Minimum width of lot, shall be amended to read as follows:

“(2) Minimum width of lot abutting a dedicated street: Eighty (80) feet.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to §130 of the Town Law of the State of New York, a Public Hearing on the said proposed amendments to Article IV of Chapter 50-Zoning, §50-10 and §50-11 of the Code of the Town of Lancaster will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on September 18, 2000 at 8:45 o'clock P.M., Local Time, and that notice of the time and place of such Hearing be published on September 7, 2000 in the Lancaster Bee, a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 5, 2000

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town of Lancaster adopted on the 5h day of September, 2000, the said Town Board will hold a public hearing on the 18th day of September, 2000 at 8:45 o'clock P.M., Local Time, to hear all interested persons upon the following proposed amendments of Chapter 50-Zoning, Article IV, §50-10 and §50-11 of the Code of the Town of Lancaster:

**CHAPTER 50-ZONING
ARTICLE IV
RESIDENTIAL DISTRICTS**

.....

§50-10. Residential District One (R-1).

.....

C. Design regulations for principal structures and uses:

- (1) Minimum lot area per dwelling (a) and (b) shall be amended to read as follows:**

“(a) Public sewered: twelve thousand five hundred (12,500) square feet;

(b)Public sewered corner lot: thirteen thousand seven hundred seventy-five (13,775) square feet.”

- (2) Minimum width of lot abutting a dedicated street (a) and (b) shall be amended to read as follows:**

“(a) Public sewered: One hundred (100) feet.

(b) Public sewered corner lot: One hundred (100) feet”

§50-11. Residential District Two (R-2).

.....

C. Design regulations for principal structures and uses.

- (1) Minimum lot area (a) and (b) shall be amended to read as follows:**

(a) Public sewered: ten thousand (10,000) square feet;

(b) Corner lot (public sewered) eleven thousand two hundred fifty (11,250) square feet.

(2) Minimum width of lot, shall be amended to read as follows:

"(2) Minimum width of lot abutting a dedicated street: Eighty (80) feet.

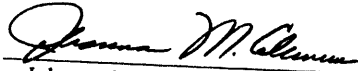
Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN
Town Clerk**

September 5, 2000

The attached is the actual legal that was published in the Bee Newspaper on September 7, 2000. It lacked the specificity that Council Member Pelletterie submitted in writing to the Town Clerk on September 18, 2000.


Johanna M. Coleman, Town Clerk

— LEGAL NOTICE —

PUBLIC HEARING
TOWN OF LANCASTER
LEGAL NOTICE IS HEREBY GIVEN
that pursuant to the Town Law of the State
of New York and pursuant to a resolution of
the Town Board of the Town of Lancaster,
adopted on the 5th day of September,
2000, the said Town Board will hold a
public hearing on the 18th day of September,
2000 at 8:45 o'clock P.M. Local Time,
to hear all interested persons upon the
following proposed amendments of Chapter
50-Zoning, Article IV, §50-10 and §50-
11 of the Code of the Town of Lancaster:

CHAPTER 50-Zoning

ARTICLE IV

RESIDENTIAL DISTRICTS

§50-10. Residential District One (R-1).

C.
(7) Minimum width of lot abutting a
dedicated street (a) and (b) shall be
amended to read as follows:

(a) Public sewer: One hundred

(100) feet.

(b) Public sewer: One hundred

(100) feet.

§50-11. Residential District Two (R-2).

C.
(2) Minimum width of lot shall be
amended to read as follows:

(2) Minimum width of lot abutting a
dedicated street: Eighty (80) feet.

Full opportunity to be heard will be
given to any and all citizens and all parties
in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN

Town Clerk
September 5, 2000

Sept. 7

File: Publication.affidavit

State of New York
County of Erie S/S
Town of Lancaster

Johanna M. Coleman, Town Clerk of the Town of Lancaster, New York,
being duly sworn, deposes and says that:

The herein photocopied Legal Notice was attached to and posted on the
sign board of the Town maintained outside the Town Clerk's Office on the
7th day of September, 2000.

Taken, subscribed and
sworn to on this 7th day of
September, 2000

Johanna M. Coleman
Deputy Town Clerk, Town of Lancaster

Signed Johanna M. Coleman
Johanna M. Coleman, Town Clerk and Clerk
of the Zoning Board of Appeals

**TOL #5
— LEGAL NOTICE —**

PUBLIC HEARING
TOWN OF LANCASTER
LEGAL NOTICE IS HEREBY GIVEN,
that pursuant to the Town Law of the State
of New York and pursuant to a resolution of
the Town Board of the Town of Lancaster,
adopted on the 5th day of September,
2000, the said Town Board will hold a
public hearing on the 10th day of September,
2000 at 8:00 o'clock P.M. Local Time,
to hear all interested persons upon the
following proposed amendments of Chapter
50-Zoning, Article IV, §50-10 and §50-
11 of the Code of the Town of Lancaster:

CHAPTER 50-Zoning
ARTICLE IV
RESIDENTIAL DISTRICTS

§50-10. Residential District One (R-1).

C.

(7) Minimum width of lot abutting a
dedicated street (a) and (b) shall be
amended to read as follows:

(1a) Public sewer: One hundred
(100) feet.

(b) Public sewer corner lot: One
hundred (100) feet.

§50-11. Residential District Two (R-2).

C.

(2) Minimum width of lot shall be
amended to read as follows:

(12) Minimum width of lot abutting a
dedicated street: Eighty (80) feet.

Full opportunity to be heard will be
given to any and all citizens and all parties
in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN
Town Clerk

September 5, 2000

Sep. 7

File: Publication.affidavit

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk by
the Director of Administration and Finance, to wit:

Claim No. 3964 to Claim No. 4134 Inclusive

Total amount hereby authorized to be paid: \$654,494.43

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED NO
SUPERVISOR GIZA	VOTED YES

September 5, 2000
File: Relaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

RESOLVED that the following Building Permit Applications be and are hereby
approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are
waived for this permit.

(CSW) = Conditional sidewalk waiver.

Pmt #	SW	Applicant Name	Address	Structure
PREVIOUSLY TABLED:				
7227		Marrano/Marc Equity	68 Trentwood Tr	Er. Sin. Dwlg
NEW PERMITS:				
6814		Brookhaven Apt Homes	5844 Broadway	Er. 12 Units
7253		Linhardt, Paul	5226 William St	Er. Fence
7254		Ornat, Dale	29 Michael Anthony Ln	Er. Deck
7255		Zaprowski, Mark	386 Harris Hill Rd	Res. Addition
7256		Transit-Rehm Associates	6363 Transit Rd	Com. Alteration
7257		Tonia, Alison	36 Sagebrush Ln	Er. Shed
7258		LaGambina, Antonio	10 Butler Dr	Er. Fence
7259		Donato Homes	220 Nathan's Trl	Er. Sin. Dwlg
7260		Koeth, Christopher	152 Stony Rd	Er. Shed
7261		Reed, David	652 Ransom Rd	Er. Deck
7262		Michalak, Stephen	4 Park Walk	Er. Shed
7263		Town of Lancaster IDA	4087 Walden Ave	Er. Temp. Sign
7264		Marrano/Marc Equity	20 Farmview Ct	Er. Sin. Dwlg
7265		Fischione Const	59 Tomahawk Trl	Er. Sin. Dwlg
7266		Windsor Ridge Ptnrs	17 Sussex Ln	Er. Sin. Dwlg
7267		Viscusi, Dennis	478 Central Ave	Er. Pool
7268		Viscusi, Dennis	478 Central Ave	Er. Fence
7269		Olszewski, Cynthia	205 Warner Rd	Er. Shed
7270		Baron, Mark	18 Clermont Ct	Er. Fence
7271		Moe, Everett	5067 Transit Blvd	Com. Addition
7272		RJF Development	22 Schiffler Ct	Er. Fence
7273		Marrano/Marc Equity	9 Farmview Ct	Er. Shed
7274		Long, Charles	33 Woodgate Dr	Er. Shed
7275		Kowalik, Ronald	132 Siebert Rd	Er. Fence
7276		Smith, Barry	33 Charlton Pl	Er. Pool
7277		Lester, Jerome	26E Home Rd	Er. Shed
7278		Culkowski, Michael	6 Deerpath Dr	Res. Addition
7279		Colvin, Kevin	205 Peppermint Rd	Er. Fence

7280	Marrano/Marc Equity	393 Seneca Pl	Er. Sin. Dwlg
7281	Marrano/Marc Equity	387 Seneca Pl	Er. Sin. Dwlg
7282	Marrano/Marc Equity	7 Farmview Ct	Er. Sin. Dwlg
7283	DePasquale	33 Greenbriar Dr	Er. Shed
7284	Sobczak, Kenneth	14 Old Post Rd	Er. Shed
7285	Sereno, Catherine	29 Taft Ave	Er. Shed
7286	Randaccio, Al	20 Cambridge Ct	Er. Sin. Dwlg
7287	Schultz, Eric	61 Schlemmer Rd	Er. Shed
7288	Blanchard, Kevin	161 Schlemmer Rd	Miscellaneous
7289	Cimminelli, Frank	57 Quail Run Ln	Er. Sin. Dwlg
7290	Smosa, Kevin	57 Tomahawk Trl	Res. Addition
7291	Jurkowski, Gregory	27 Cobblestone Ct	Er. Shed
7292	Mueller, Craig	2 Huntington Ct	Er. Fence
7293	Transit-Rehm Assoc	6363 Transit Rd	Er. Sign Wall
7294	Poepsel, Jeffrey	9 Chapin Cir	Er. Shed
7295	Town of Lancaster IDA	4201 Walden Ave	Com. Addition
7296	Krous, Peter	404 Seneca Pl	Er. Shed
7297	Ocker, Stephen	555 Pleasant View Dr	Res. Alteration
7298	Town of Lancaster	5895 Genesee St	Er. Sign Pole
7299	Offhaus, James	5097 William St	Er. Fence
7300	Gooch, Dennis	18 Stony Brook Dr	Er. Pool
7301	Gooch, Dennis	18 Stony Brook Dr	Er. Fence
7302	Page, Ronald	38 Signal Dr	Er. Deck

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 5, 2000

File:Rbldg2

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

WHEREAS, the Dog Control Officer of the Town of Lancaster has informed the Town Board that a vacancy exists in the position of Assistant Dog Control Officer, Part Time, due to the resignation of James Horbett, and

WHEREAS, the Dog Control Officer has recommended the appointment of Marcia Halpin, 5718 Broadway, Lancaster, New York 14086 to the aforementioned position of Assistant Dog Control Officer, Part Time.

NOW, THEREFORE, BE IT

RESOLVED, that **MARCIA HALPIN**, 5718 Broadway, Lancaster, New York 14086 be and is hereby appointed to the position of Assistant Dog Control Officer, Part Time, with no health benefits, insurance, sick days, vacation or other benefits, effective September 6, 2000, and

BE IT FURTHER

RESOLVED, that the salary for this position is \$11.14 per hour which is 75% of the gross salary, as set forth in the 2000 Schedule of Salaries.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

May 17, 2000

FILE: RPERS.DCO

Council Member Stempniak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has studied a plan to provide for an improved vehicle access area at the front of the Town owned library on Broadway to permit pedestrian drop off and pickup and book return, and

WHEREAS, the Town Library Board of Trustees and the New York State Department of Transportation have been involved in the planning process, and

WHEREAS, after due review and consideration the Town Board now believes that a plan has been developed which will serve the public interest over safety concerns in the drop-off area as beforementioned;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the plan submitted and identified as Plan No. 4, which will provide for a motor vehicle pull-off from Broadway at the front of the Town owned library, a portion of which motor vehicle pull-off area will be situated on Town owned property and a portion of it on the right of way of Broadway (State road Route 20).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 5, 2000

File: rlibry.900

Council Member Pelletterie requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER PELLETTERIE, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ZARBO, TO WIT:

WHEREAS, the Village of Lancaster has approached the Town of Lancaster in regard to the Town doing code enforcement and building permit duties, and

WHEREAS, the Village has apprised the Town that they no longer have an employee to carry out these activities due to a recent resignation, and

WHEREAS, there has been discussion between the Town of Lancaster Supervisor and Village of Lancaster Mayor regarding the possibility of the Town permanently assuming code enforcement and building permit duties for the Village which would be undertaken with consideration paid by the Village to the Town, and

WHEREAS, the Village has requested that given the present circumstances, the Town temporarily undertake code enforcement and building permit duties for the Village;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Building Inspector of the Town of Lancaster to temporarily undertake code enforcement and building permit duties for the Village of Lancaster for consideration to be worked out between the parties for temporarily assuming these duties and, further, the Supervisor shall continue with the Village regarding the Town permanently assuming these responsibilities for the Village.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER PELLETTERIE	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
COUNCIL MEMBER ZARBO	VOTED YES
SUPERVISOR GIZA	VOTED YES

September 5, 2000
File: rvlcode.900

COMMUNICATIONS & REPORTS:

- 585. Highway Superintendent to Planning Board Chairman -
Transmittal of no concerns re: Moe's Auto Glass Site Plan. DISPOSITION =
Received and Filed
- 586. NYS Dept. of Transportation to Deputy Town Attorney -
Concurrence of Town SEQR lead agency designation and other comments re:
Uniland Development Company rezone petition. DISPOSITION = Planning
Committee
- 587. Erie County Dept. of Environment and Planning To Town Attorney -
Designation of Town SEQR lead agency and other comments re: Uniland
Development Corporation rezone petition. DISPOSITION = Planning Committee
- 588. NYS Dept. of Transportation to Town Clerk -
Reply and action taken re: request for a parking restriction in the vicinity of 5555
Genesee Street. DISPOSITION = Received and Filed
- 589. Highway Superintendent to Town Board -
Advisement of problem re: damage to Erie Street during hauling of overburden
material by private concern and request for budget transfer to cover expense of
repairs until insurance claims are paid. DISPOSITION = Town Attorney
- 590. Erie County Executive to Supervisor -
Notification of meeting to be held 8/31/200 re: a proposed coordinated effort re:
West Nile Virus. DISPOSITION = Received and Filed
- 591. Council Member Zarbo to Director of Administration and Finance -
Request full accounting of Public Safety Impact fee, Conservation Impact Fee,
Recreation Fee, Tree Restoration Fee and Environmental Impact Fee.
DISPOSITION = Received and Filed
- 592. Executive Director, NYS School Boards Association to Supervisor -
Notification that Gov. Pataki has designated the week of October 23-27 as School
Board Recognition Week. DISPOSITION = Received and Filed
- 593. Various William Street/Aurora Street Residents to Town Attorney, Town Board,
Planning Board, Etal -
Transmittal of petition to Town Board to deny building permit for proposed gas
station and retail business at n/e corner of "said" property. DISPOSITION =
Planning Committee, Town Attorney
- 594. Uniland Development Company to Town Attorney -
Transmittal of tentative rezone approval schedule for Uniland Development
Corporation. DISPOSITION = Planning Committee
- 595. Bella Vista to Russ Luke -
Formal instruction that charges will be imposed upon anyone caught trespassing on
their property. DISPOSITION = Received and Filed
- 596. Erie County Dept. of Environment and Planning to Supervisor -
Notification of changes to the Erie County First Time Home Buyer Program.
DISPOSITION = Received and Filed
- 597. Crown Castle USA Inc. To Town of Lancaster -
Informs the Town that the lease or license agreement between Town and Verizon re:
site tower has been assigned to Crown Castle USA. DISPOSITION = Town
Attorney
- 598. Town Attorney to Sprint Sites USA -
Request lease payments re: Omnipoint and AT&T as co-locators. DISPOSITION =
Town Attorney

599. Town Attorney to Mr. & Mrs. Michael Hocko -
Advisement that the Town declines request to purchase Town owned property at the rear of their home. DISPOSITION = Received and Filed
600. Town of Lancaster to Marrano/Marc Equity Corporation -
Notification of fines due re: violation of terms of agreement which were incorporated into the resolution of July 7, 1997 approving Trentwood Trail. DISPOSITION = Received and Filed
601. Town Attorney to Environmental Notice Bulletin -
Enclosure of Positive Declaration re: SEQR Review of Uniland Development Corporation. DISPOSITION = Planning Committee
602. Chief of Police to Chairman Lancaster Town Planning Board -
Comments re: site plan review for Gateway Center, northeast corner of Transit Road and William Street. DISPOSITION = Planning Committee
603. Chief of Police to Chairman Lancaster Town Planning Board -
Comments re: site plan review for Aurora Market, 470 Aurora Street. DISPOSITION = Planning Committee
604. Chief of Police to Chairman Lancaster Town Planning Board -
Transmittal of approval re: site plan for Home Insulation & Supply addition. DISPOSITION = Planning Committee
605. Chief of Police to Chairman Lancaster Town Planning Board -
Transmittal of comments and recommendations re: site plan review for DPC, Inc. DISPOSITION = Planning Committee
606. Chief of Police to Chairman Lancaster Town Planning Board -
Transmittal of approval of site plan review re: Kingdom Hall of Jehovah's Witnesses. DISPOSITION = Planning Committee
607. Chief of Police to Chairman Lancaster Town Planning Board -
Transmittal of approval of site plan review re: Precision Dental Ceramics, Inc. DISPOSITION = Planning Committee
608. Various Broadway/Parkdale Drive Residents to Town Clerk, Town Board, Planning Board, Town Attorney, Supervisor -
Transmittal of signed petition requesting a super majority vote on the rezoning and proposed development of property bordering Broadway & Como Park & Bowen Road & Parkdale Drive. DISPOSITION = Town Attorney, Planning Committee
609. Highway Superintendent to Supervisor -
Transmittal of budget for 2001 with an explanation for noticeable increase due to need to purchase vehicles. DISPOSITION = Budget Officer
610. General Crew Chief to Roy Schneggenburger -
Transmittal of names of Laborer Aids in Parks, Recreation & Forestry Department. DISPOSITION = Received and Filed
611. Various residents to Planning Board Chairman -
Concerns and suggestions re. Pleasant Meadows rezone submittal R-1 to RCO. DISPOSITION = Planning Committee
612. Thomas E Shedler to Town Clerk and Town Board -
Seeks remedial work on existing drainage problems bordering Warner Rd. and Lucia Ct. DISPOSITION = Drainage Committee, Highway Superintendent, Engineer
613. Beatrice Tatoli to Town Board and Town Clerk -
Requests assistance with drainage problems at 210 Warner Road. DISPOSITION = Drainage Committee, Highway Superintendent, Engineer

614. Kenneth Palarczyk to Town Board -
Seeks solution to drainage problems at 206 Warner Road. DISPOSITION =
Drainage Committee, Highway Superintendent, Engineer
615. Town Clerk to Zoning Board, Building Inspector and Dep. Town Attorney -
Notification of Public Hearing September 14, 2000 for 3 variance petitions.
DISPOSITION = Received and Filed
616. General Crew Chief to Roy Schneggenburger -
Advisement of status of file search for employment applications of laborer's aides.
DISPOSITION = Received and Filed
617. Town Engineer to Town Board -
Comments with regard to the inquiry of the site owned by Bella Vista.
DISPOSITION = Received and Filed
618. General Crew Chief to Planning Board, Council Members Stempniak and Pelletterie -
Cannot give recommendation for site plan of Precision Dental Ceramics, Inc. due to
the lack of landscape plan. DISPOSITION = Planning Committee
619. General Crew Chief to Planning Board, Council Members Stempniak and Pelletterie -
After review of landscape plan for Aurora Market, request additional coniferous
trees be planted at the north property line. DISPOSITION = Planning Committee
620. General Crew Chief to Planning Board, Council Members Stempniak and Pelletterie -
Transmittal of determination that landscape plans for DPC, Inc., Home Insulation &
Supply, Inc. and Kingdom Hall of Jehovah's Witnesses are all sufficient.
DISPOSITION = Planning Committee
621. Various Nichter Road Residents to Town Board -
Transmittal of resolution re: various comments on the traffic conditions for Nichter
Road. DISPOSITION = Safety Committee
622. Roy Schneggenburger to Town Board -
Suggestions/Recommendations re: alternative ways for citizens of Lancaster to
receive Town news. DISPOSITION = Town Clerk
623. Town of Elma to Town Board -
Addresses concerns about and requests notification of all meetings re: Windsor
Ridge rezone matter. DISPOSITION = Planning Committee
624. Emily Oleksy to Town Board -
Request traffic light for intersection of William Street and Lake Avenue.
DISPOSITION = Received and Filed
625. Superintendent, Lancaster Central School District to Supervisor -
Request joint quarterly meetings with the Town Board and School Board -
DISPOSITION = Received and Filed
626. Lancaster Vol. Ambulance Corps to Supervisor -
Returns last Town purchased ambulance to the Town of Lancaster. DISPOSITION
= Received and Filed
627. Depew Development Inc. to Town Board -
Transmittal of opinion re: residential development in the Town. DISPOSITION =
Planning Committee
628. Russ Luke to Supervisor -
Enclosure of a copy of letter to Red Roof Inn-Buffalo naming them as the 1999 Inn
of the Year. DISPOSITION = Received and Filed

629. NYS Dept. of Transportation to Council Member -
Transmittal of results of completed traffic engineering results re: request for left green arrows on Route 20 at Bowen Road and on Route 33 at Harris Hill Road. DISPOSITION = Safety Committee
630. Various residents of Windcroft and Sussex Lanes to Town Board -
Transmittal of response to rezone petition received by them re: Windsor Ridge Partners, LLC. DISPOSITION = Planning Committee
631. Various residents of Newberry Lane, Traceway, Trentwood Trail, Bridgewater, Wendtworth Ct. and Broadmoor Ct. to Town Board and Town Attorney -
Transmittal of petition re: residential subdivision development. DISPOSITION = Planning Committee
632. McIntosh & McIntosh, P.C. to Building Inspector -
Transmittal of revised site plan for Tree of Life Church. DISPOSITION = Planning Committee
633. Rose Garden Restaurant to Town Clerk -
Notification of application to renew Liquor License. DISPOSITION = Town Attorney

ADJOURNMENT:

**On MOTION OF COUNCIL MEMBER PELLETTERIE AND SECONDED BY
THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 12:55
A.M.**

Signed 
Johanna M. Coleman, Town Clerk